

combining district zoning for Tract 2. First Reading approved on February 16, 2017, vote 10-0. Applicant/Agent: Brown & Gay Engineers (Steven Buffum). Owner: Azur Property Investment. City Staff: Andrew Moore, 512-974-7604.

A motion to approve the ordinance for general commercial services-mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use -conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2 with the following amendment was made by Council Member Renteria and seconded by Council Member Houston.

The amendment was to revise Part 3 to read:

“(A). An emergency access drive, dedicated by easement, shall be required at the time of site plan approval. The easement shall be a minimum of 25 feet wide and shall provide a connection sufficient for emergency vehicles between the existing terminus of Sunridge Drive and the frontage road of Ben White Blvd. The easement shall be designed in accordance with Section 503 of the International Fire Code (2012 edition) and City of Austin amendments.”

“(B). The Development Services Department has determined that the required dedication is roughly proportionate to anticipated traffic generated by the development, based on maximum development intensity allowed under applicable zoning. As part of the development, an appropriate terminus of Sunridge Drive shall be provided in compliance with City of Austin Code and criteria.”

A motion to approve the ordinance on second reading only with the amendments listed above was made on Council Member Garza’s motion and seconded by Council Member Casar. The motion was accepted without objection.

The ordinance was approved on second reading only for general commercial services-mixed use-conditional overlay- neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use -conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 2 on Council Member Renteria’s motion, Council Member Houston’s second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Houston, and Troxclair. Those voting nay were: Council Members Pool and Renteria.

83. C814-2014-0120 - Austin Oaks PUD - District 10 - Conduct a public hearing and approve second reading of an ordinance amending Title 25 by rezoning property locally known as 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive (Shoal Creek Watershed) from community commercial (GR) district zoning, neighborhood commercial (LR) district zoning, limited office (LO) district zoning and family residence (SF-3) district zoning to planned unit development (PUD) district zoning. The ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with conditions on December 15, 2016. Vote: 6-3, Council Members Casar, Gallo and Zimmerman voted nay; Council Members Garza and Troxclair were off the dais. Applicant: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Twelve Lakes LLC, Jon Ruff. City Staff: Andrew Moore, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and a motion to approve the ordinance as amended below on second reading only for planned unit development (PUD) district zoning was made by Council Member Alter and seconded by Council Member Pool, The amendment was:

To revise Part 4. B Definitions: Land Use Classifications of the ordinance to read:

“B. Land Use Classifications. In this ordinance:

1. AO Hotel or office is a classification for Parcel 6 as shown in Exhibit B: Land Use Plan with the uses shown on Exhibit D.

7. ...Spicewood Office Mixed Use is a classification for Parcel 7 as shown in Exhibit B.”

A. To revise Part 5. A to read: “A mixed-use development is required on Parcel 9 and Parcel 8 with retail ground floor use and multifamily residential above the ground floors.”

To strike the first sentence found in Part 5. F from the ordinance.

To revise Part 9. A to read:

A. “The Landowner shall mitigate transportation impacts as set forth in the Development Services Department, Transportation Review Section’s Transportation Impact Analysis (TIA) memo dated October 6, 2016, Exhibit C, and Exhibit G: Streetscape Plan. The landowner shall pay 100% of costs, including design and overhead, of the improvements specified in Exhibit C and Exhibit N.”

To add a new Section D to Part 9 to read:

“D. A site plan or building permit for the Property may not be approved, released, or issued if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 19,648 trips per day.”

To revise Exhibit C, Section B to read: –

B. “Within one (1) year of the Effective Date of this Ordinance, the amount of \$561,324.38 shall be deposited with the City which must be used for design and the installation of a traffic signal at the intersection of Hart Lane and Spicewood Springs Road.”

To include the following Exhibit N as an attachment to the ordinance to read:

As part of the TIA, the applicant provided probable cost estimates to perform the identified improvements.

Location	Improvements	Probable Cost (\$)	Site Traffic (%)
1. Spicewood Springs Road & Loop 1 SBFR (2018)	Create Channelized turn from Mo-Pac to Spicewood Springs	\$175,000	7.3%
2. Far West Blvd & Wood Hollow Drive (2018)	Provide a right-turn overlap signal operation	\$20,000	5.8%
3. Executive Center Drive & Wood	Widen Executive Center Drive to a four-lane cross-section	\$20,000	52.6%

Hollow Drive (2022)			
4. Executive Center Drive & Hart Lane (2024)	Restripe westbound approach of Executive Center Drive and Hart Lane	\$20,000	79.1%
5. Executive Center Drive & Hart Lane (2024)	Restripe Hart Lane	\$20,000	79.1%
6. Executive Center Drive & Wood Hollow Drive (2024)	Conduct Traffic signal warrant analysis	\$10,000	52.6%
7. Executive Center Drive & Wood Hollow Drive (2024)	Install a fully actuated traffic signal if warranted	\$250,000	52.6%
8. Greystone Drive & Wood Hollow Drive (2024)	Restripe northbound approach	\$20,000	40.2%
9. Spicewood Springs Road & Hart Lane (2018)	Widen Hart Lane	\$150,000	11.0%
Recommended Improvements Total		\$685,000	--

The following friendly amendments were made by Council member Pool and accepted without objection. The amendments were:

To insert a new superiority element in Part 7.C.5 to read:

“5. At least two of the Heritage Trees permitted to be removed under Part 10.B.6 shall be transplanted within the Austin Oaks PUD. The trees ad locations selected for transplanting shall be approved by the City Arborist. Mitigation credit of 750 caliper inches per tree shall be granted for the transplanting up to two Heritage Trees. The mitigation credit shall apply to the PUD as a whole, but each site plan shall replant replacement trees to the extent feasible, as determined by the City Arborist, prior to utilizing mitigation credit from the transplanted Heritage Trees.”

To insert a new superiority element in Part 7.G to read:

“G. Excavation within 300 feet of the offsite springs, as shown in Exhibit B, shall be limited to a maximum of 15 feet in depth. This restriction does not apply to pilings, piers, columns, or similar limited diameter building support structures.”

To revise Part 10.B.10 to read:

“10. City Code Sections 25-8-621 (*Permit Required for Removal of Protected Trees: Exceptions*) and 25-8-641 (B) (*Removal Prohibited*) are modified to allow the removal of trees identified to be removed in Exhibit H: Tree Plan, including those trees identified as

tag numbers 904, 952, 1075, 1094, 1163, 1289, 2008, 2031, 2033, 2037, 2107, 2227, and 2233. The Heritage Tree identified as tag number 1289 shall be preserved. Notwithstanding any other provision of this ordinance, trees identified to be removed in Exhibit H may only be removed following a pre-construction meeting with the City's Environmental inspector at the time of site plan for each particular parcel with the PUD."

To revise Part 10.B.11 to read:

"11. ECM Section 3.3.2.A (*General Tree Survey Standards*) is modified to allow Exhibit K: Tree Survey to be used for development applications submitted until November 22, 2033. ~~{for 20 years from the survey date}~~. Development applications submitted after November 22, 2033 shall require a new tree survey that complies with the rules and regulations in effect at the time of application. This modification is not intended to set a precedent for future development. Any amendment to the PUD that proposes a reduction in the tree preservation requirements set out in this ordinance shall require a new tree survey that complies with the rules and regulations in effect at the time of the amendment."

A substitute motion to approve the draft ordinance with the following amendments was approved on Council Member Casar's motion, seconded by Council Member Flannigan on a 6-5 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Renteria and Troxclair. Those voting nay: Mayor Pro Tem Tovo, Council Members Alter, Houston, Kitchen and Pool. The amendments were:

To revise Part 8.A Multifamily Rental Housing to read: "At least 10.8% of the total number of multifamily rental housing units located within the Austin Oaks PUD will be set aside for occupancy by households with incomes at 60% of or below the MFI for a rental affordability period of forty years from the date the unit is leased to an eligible household, so long as the unit remains in compliance with the terms of the affordable housing program. The 10.8% set aside under this section constitutes the "Affordable Rental Units." In addition the Landowner agrees to comply with the following..."

To add a new number 2 under Part 8. A and to renumber the remaining sections. Part 8. A. 2 should read: At least 50% of the Affordable Rental Units must contain 2 or more bedrooms.

To revise Part 8. B to read: "At least 11.3% of the total number of units sold as owner-occupied residential housing units located within the Austin Oaks PUD will be set aside for occupancy by households with incomes at 80% of or below MFI for an affordability period of (1) ninety-nine years for fee-simple ownership units governed by a condominium declaration and community land trust units or (2) forty years for fee-simple units not governed by a condominium declaration. The 11.3% set aside under this section constitutes the Affordable Ownership units. In addition the Landowner agrees to comply with following:"

To add a new number 2 under Part 8. B and to renumber the remaining sections. Part 8. B. 2 should read: "2. At least 50% of the Affordable Ownership Units must contain 2 or more bedrooms."

A friendly amendment to have \$800,000 for affordable housing and \$826,000 go toward traffic mitigation to be applied to Exhibit N and the traffic light in Part C was made by Council Member Flannigan. The friendly amendment was accepted without objection.

A motion to amend the ordinance as listed below was approved on Mayor Pro Tem Tovo, seconded by Council Member Houston on a 10-1 vote. Council Member Troxclair voted nay. The amendment was:

To revise Part 8.A.2 to read: "At least 50% of the Affordable Rental Units must contain 2 or more bedrooms and shall have the same minimum average unit size as the market rate units located in the same building."

A motion to approve staff amendments to the ordinance was approved on Council Member Flannigan's motion, Council Member Garza's second on a 9-0 vote. Council Member Alter abstained. Council Member Houston was off the dais. The amendments were:

- To amend Part 4.A.3 to read: "SITE means a site within the Austin Oaks PUD that crosses a public street or right-of-way."
- To add a new Part 10.A.1.b and to renumber remaining sections. Part 10.A.1.b should read: "Except as required to comply with Federal ADA requirements, the regulations in Subsections 2.2.5.B.-H. (*Internal Circulation Routes: Sidewalks and Building Placement Requirements for Large Sites*), Section 2.2 (*Relationship of Buildings to Streets and Walkways*) related to the construction of sidewalks, internal circulation routes, block standards, circulation, building placement, parking, off-street parking, and joint access do not apply within the Austin Oaks PUD. Five foot sidewalks adjacent to right-of-way and where necessary to comply with Federal ADA requirements."
- To amend Part 10.A.1.g to read "Subsection 4.2.1.D. (*District Standards*) of Article 4 (*Mixed Use*), Section 4.2 (*Mixed Use Zoning Districts*) is modified so that the minimum site area requirements for each dwelling unit within the zoning districts do not apply within the Austin Oaks PUD."
- To add a new Part 10.A.4 and renumber remaining sections. Part 10.A.4 should read: "Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) is modified to provide that the boundaries of the Austin Oaks PUD may be noncontiguous."
- To add a new Part 10.E. Fire to read: "1. Section 4.4.0 (*General Provisions for Fire Safety*) of the Fire Protection Criteria Manual is modified to provide that fire access from Spicewood Springs Road will be allowed by the construction of 3 access stairways installed approximately every 200 feet between approximately 350 feet west of Wood Hollow intersection to a point 200 east of Hart Lane intersection. The stairways shall be installed and maintained by the Landowner, and be a minimum 60 inches wide with handrails and landings."

A motion to approve a new section D to Part 9 was approved on Council Member Pool's motion without objection. Part 9 D should read: "Part 9. D A site plan or building permit for the Property may not be approved, released, or issued if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 19,648 unadjusted trips per day. A request to change the 19,648 unadjusted trips per day limit requires approval by the City Council."

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on second reading only for planned unit development (PUD district zoning as amended above was approved on Council Member Casar's motion, Council Member Flannigan's second on a 7-4 vote. Those voting aye were: Mayor Adler, Council

Members Casar, Flannigan, Garza, Kitchen, Renteria and Troxclair. Those voting nay were: Mayor Pro Tem Tovo, Council Members Alter, Houston and Pool.

78. C14-2016-0063.SH – Villas at Vinson Oak Rezone – District 3 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4507 and 4511 Vinson Drive (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. This case involves a S.M.A.R.T. Housing project. First Reading approved on February 16, 2017. Vote: 8-0-3, Council Members Houston, Pool, Renteria - abstained. Owner/Applicant: Notigius LLC – Series Vinson (Antonio Giustino). Agent: Perales Engineering, LLC (Jerry Perales, P.E.). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

A motion to approve the ordinance on second reading only for townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning was approved on Council Member Casar's motion, Council Member Garza's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Kitchen and Troxclair. Those voting nay were: Council Members Houston, Pool, and Renteria.

Mayor Adler adjourned the meeting at 1:03 a.m. without objection.